



Westfield Community Association Network

Sale of Fireworks within Westfield / Washington Township

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- **City's Land Use List** – Zoning Ordinance
 - Allowable / Permitted Uses (Figure 2)
 - Special Exceptions (BZA approval required)
- **Allowable / Permitted Use:**
 - Department Stores over 10,000 (sf) it was determined that it would allow for the “sale of fireworks”
 - Stand alone, tenant space or tents for “fireworks sale” is not listed in Figure 2 as permissible use under the Code

Note: Land uses not listed on Figure 2 or in the other sections of the zoning ordinance that address “permitted uses” or “special exceptions” in the various zoning districts shall be prohibited.

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- How do you regulate firework sales?

State Permits / license are required by all and:

- **Fishers** – Tenant Bldg / Temporary Use Permit w/ Fire Inspection over certain stock
- **Noblesville** – Store front / temp banner permit w/ fire regulations followed & tent sales require temp use permit
- **Carmel** – Temporary Use Permit w/ Fire Regulations followed
- **Cicero** – Temporary Use Improvement Location Permit
- **Sheridan** – Follows the State Code
- **Atlanta** –
- **Arcadia** –

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- Fireworks In Indiana
Indiana Dept of Homeland Security
- Fireworks Online Application Process
Indiana Dept of Homeland Security
- Permit Applications – Affidavit –
Valid Permit Indiana Dept of Homeland Security

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- Indiana Dept of Homeland Security Fireworks Sales Classifications:
 - Retail Sales from a Tent
 - Retail Sales from a Structure (Class 1)
 - B-2 or M building occupancy
 - sold before 07/04/2003
 - no previous sale of consumer fireworks occurred
 - B-2 or M building occupancy
 - sold before 07/04/2003
 - registered wholesaler in 2005
 - primary business is not the sale of consumer fireworks
 - B-2 or M building occupancy
 - Class 1 structure
 - must comply with local zoning and land use rules
 - may not exceed 3,000 lbs gross of consumer fireworks
 - consumer fireworks must have been sold from this location in 2005

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- Enforcement of Fireworks Sales
 - Applicable local zoning and land use rules
 - This is specific to an ordinance for zoning and/or land use classification
 - Local law enforcement & fire services
 - This is specific as to using the consumer fireworks along with time and place allowed

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■ Types of Fireworks

■ CONSUMER:

- certain types of 1.4G fireworks i.e. bottle rockets, roman candles and fire crackers

■ Section 8 (a):

- sparklers, ground spinners, cone fountains, wheels, cylindrical fountains

■ SPECIAL FIREWORKS:

- 1.3G fireworks for which a permit from the US Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)

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THE THREE QUESTIONS ? ? ?

No fireworks sale at all.....

- - -

Status Quo – Sold by Dept Store Only.....

- - -

Allow for fireworks sales based on regulations.....